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CROWN EQUIPMENT CORPORATION

FILED

MAY 23 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ARNOLD CARGANILLA,

Plaintiff,

vs.

CROWN EQUIPMENT CORPORATION,
and DOES 1 to 10,

Defendants.

Case No. C 04-04627 PJH

**STIPULATION AND ORDER TO
DISMISS COMPLAINT WITH
PREJUDICE**

Plaintiff Arnold Carganilla and Defendant Crown Equipment Corporation, by and through their respective counsel of record, hereby stipulate that the above-captioned Complaint be, and hereby is, dismissed with prejudice in its entirety pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, with each party to bear its own costs.

Dated: May 23, 2005

Walter L. Davis, Attorney at Law

By: Walter L. Davis

Walter L. Davis, Esq.

Attorney for Plaintiff Arnold Carganilla

1 Dated: May 20, 2005

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

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3 By: Gary A. Cerio

Gary A. Cerio, Esq.

Attorneys for Defendant

CROWN EQUIPMENT CORPORATION

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6 **IT IS SO ORDERED:**

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8 Dated: 5/23/05

Phyllis J. Hamilton
PHYLLIS J. HAMILTON

UNITED STATES DISTRICT COURT JUDGE